

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 30, 1952
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that the minutes of the previous meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Members participating in the DeMolay Government Day were introduced: MAYOR TED EDWARDS; MAYOR PRO-TEM J. T. POWELL, COUNCILMEN TOMMY WILEY, HUBERT HOCUTT, and SHIRLEY SARTIN; CITY MANAGER SAM THOMPSON.

MR. MARTIN HARRIS, representing the Austin Transit, Inc., asked the Council to set a date for hearing on the Company's request for rate increase. Councilman Johnson moved that a public hearing be set on the Austin Transit, Inc., request for increase in rates for Monday, November 10, 8:00 P.M., at the City Library. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. W. L. BRADFELD, Chairman of the newly formed Subdivision Committee of the Austin Real Estate Board, consisting of MESSRS. MURRAY GRAHAM, JOHN BARROW, A. D. STENGER, TOM GRAHAM, W. H. BULLARD, and A. B. BEDDOW, offered the services of this Committee to advise with and consult the various agencies of the City regarding subdivisions, as these members were experts and had much experience in subdivision work. He felt, with the experience and knowledge of this committee, it could perform a great service in forming subdivision policies. He stated there was a meeting this night to which this group had not been invited, and the Committee would like to be invited to sit in on this meeting and discussion. He asked that no action be taken on subdivisions until the Committee had an opportunity to study the proposals. Later on in the meeting, the City Manager stated the meeting was called to discuss the issue, but it would be all right for the Committee to attend.

MR. MORRIS LACKEY complained of the way the Purchasing Agent had handled some bids during the past year. He had been before the Purchasing Agent and Mr. Kinney. He had submitted a bid on June 24th; and todate was unable to get any information regarding any of the bids. He was bidding on clutches, brake linings, and pressure plates. Councilman Long moved that the City Manager be instructed to make an investigation of these bids and report back to the Council how the bids were handled and why bids taken in June were not taken care of. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council received notice that the following applications for change of zoning had been referred to the Zoning Commission:

JAMES WILLIAM BUSH	5201 Evans Avenue and 600-602 East 52nd St.	From "A" Residence To "C" Commercial
MRS. MARY KUEHNE	5500 Block Lamar Blvd.	From "A" Residence To "C" Commercial

Councilman Johnson moved that the Council meet on Wednesday November 26th in order to observe Thursday the 27th as THANKSGIVING DAY. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The City Manager stated he did not have a complete report to make on the condition or solution of the problem with regard to the Creek at 1st and Red River at this time, as the Health Department and Engineering Department had made a survey, and were still working on a solution.

The City Manager explained the ordinance providing no-parking on Lamar Boulevard north of the High School Stadium to West 30th Street. He stated it was the feeling this should be extended to the end of the esplanade on Lamar, and just beyond Anderson Lane. Councilman White thought that was right, but inquired about parking at the football games at the Stadium on Lamar. The City Manager stated there were police to control the traffic at that time, and he suggested setting the ordinance up that parking might be permitted at the Stadium where it was under police regulation and control, as there were only about six times a year this situation existed. Councilman Long thought if one public meeting influenced parking, others would too, and it should all be considered. Councilman MacCorkle thought it could be set up under public functions under police regulation and control. No action was taken at this time until further study can be made regarding permitting parking when public functions are held at the stadium and the traffic is under police control.

The Mayor read the following recommendation from the Planning Commission and the Zoning Commission, dated October 15, 1952:

"Honorable Mayor and City Council
City of Austin
Austin, Texas

"Gentlemen:

"In response to your request of the undersigned for specific recommendation as to planning for and zoning of properties along the Interregional Highway, the Zoning Commission and the City Plan Commission held several joint meetings at which this problem was thoroughly discussed.

"It is the consensus of the membership of both Commissions that the below listed motions, made and unanimously carried at the last joint meeting on September 30, represent the best approach to the problem--and further, that the enactment of an ordinance, or ordinances, to this effect will go far towards insuring an orderly development. In our opinion, no proper zoning or planning insofar as the Interregional Highway and other thoroughfares are concerned can be done without this recommended ordinance.

"And so our recommendations are embodied in the following:

"It was moved, seconded, and unanimously carried that the City Council be urged to enact proper ordinance, with respect to erection of improvements on land along the Interregional Highway, to provide (1) a building setback of 75 feet from the property line and (2) that no curb breaks be permitted on the frontal streets, and (3) that no parking be permitted on frontal streets and (4) there shall be a minimum, unbroken, curb length of 20 feet, on the lateral streets, between the frontal street property line and the nearest point of the commencement of such curb break on the lateral streets.'

"Because of the similarity of problems, the above recommendations were embodied in a second motion, unanimously carried, with respect to Airport Boulevard.

"Your attention is also directed to the urgent necessity (in our opinion) of similar ordinances with respect to setbacks, curb breaks and parking on other thoroughfares within our City.

"We fervently hope that the above will be of help to you.

"Sincerely,
ZONING COMMISSION
(S) R. W. Byram
Chairman

CITY PLAN COMMISSION
(s) Geo. W. Sandlin
Chairman"

The City Manager stated the 75' set-back might be confiscatory, and the City Attorney stated if it were confiscatory, it would not be valid; however a smaller setback could be upheld. The City Manager stated that the Planning Commission had in mind off-street parking to be provided for whatever went in. He thought the matter could be approached in a different manner than the set-back by permitting no parking on the frontage streets which would give the wider use of the street, and to provide that the business enterprise would have to provide off-street parking. He stated the curb-breaks would not be too serious if the off-street parking were provided. The City Manager stated this was up for discussion at the meeting tonight. The Mayor said this matter grew out of the applications for change of zoning on East Avenue, and these applications had been pending for quite a while, and they should have some answer. The City Manager stated he would send out a use map showing the locations of these requests for changes of zoning. Councilman Long asked that he bring back a recommendation next week.

The Council set the following applications for change of zoning for public hearing, 11:00 A.M., Wednesday, November 26, 1952:

RICHARD G. AVENT	.18 acre strip of land bounded on the north by Manor Rd. and on the west by Maple Avenue, out of Outlot 47, Div. B, Unplatted, locally known as 2401 Manor Road	From "A" Residence 1st Hgt. & Area To "C" Commercial 5th Hgt. & Area NOT Recommended by the Zoning Commission
LLOYD W. TAYLOR	North 315' fronting 244.03' on Manor Rd, out of Outlot 47, Div. B, locally known as 2501-2507 Manor Road.	From "A" Residence 1st Hgt. & Area To "C" Commercial 5th Hgt. & Area NOT Recommended by the Zoning Commission

HERBERT NASSOUR

Lots 7, 8, 9, and 10,
J. T. Parkers Addition,
locally known as 804
So. 1st Street and 804
Rear So. 1st Street.

From "A" Residence
To "C" Commercial
RECOMMENDED by the Zoning
Commission

A. L. PETERSON
ESTATE

Lots 1, 2, 3, 4, 5, and
6, Block 2, Lee's Hill
Addition, locally
known as 4001-05 Alice
Avenue and 4000-04 Mara-
thon Boulevard

From "A" Residence
To "B" Residence
NOT Recommended by the
Zoning Commission

H.O.BROOKS &
HORRACE POLLEY

Lots 75, 76, 77, 78, 79,
80, and 81, Outlot 48,
Division B, Isherwood
Heights, locally known
as 2600 Block of Manor
Road

From "A" Residence
To "C" Commercial
NOT Recommended by the
Zoning Commission

ZONING TEXT

Section 2 definining
Boulevard Street by ad-
ding to the list of
Boulevard Streets the
following:

MANOR ROAD - from Inter-
regional Highway to Air-
port Boulevard

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON .62 ACRE OF THE E. B. SMITH TRACT OUT OF THE WEST HALF OF THE TANNEHILL LEAGUE, LOCALLY KNOWN AS 1183A-1197A SPRINGDALE ROAD AND 1176A-1198A, AIRPORT BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

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"A" RESIDENCE DISTRICT TO "C-2" COMMERCIAL DISTRICT ON THE WEST 140 FEET OF THE O.M. BROCKMAN 3-ACRE TRACT OUT OF THE G. W. DAVIS SURVEY #15, LOCALLY KNOWN AS 8005-07-09 BURNET ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
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The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute an easement granting Southwestern Bell Telephone Company a telephone pole line easement three (3) feet in width on a tract of land out of and a part of Lots 1, 6, 7, and 8 of Franklin's Resubdivision of Lots 3 and 4, Outlot 60, Division B of the Government Outlots adjoining the Original City of Austin, Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utilities easement was reserved and dedicated to the public on a map or plat of Sunset Terrace, a Subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas; which map or plat is recorded in Book 6, page 14 of the Plat Records of Travis County, Texas; and

WHEREAS, such easement as hereinafter described is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of such easement described as follows:

- (1) The south five (5) feet of Lot 1, Block B of the aforementioned Subdivision.
- (2) The north five (5) feet of Lot 2, Block B of the aforementioned Subdivision.
- (3) The south five (5) feet of Lot 2, Block B of the aforementioned Subdivision.
- (4) The north five (5) feet of Lot 3, Block B of the

aforementioned Subdivision.

- (5) The south five (5) feet of Lot 3, Block B of the aforementioned Subdivision.
- (6) The north five (5) feet of Lot 4, Block B of the aforementioned Subdivision.
- (7) The south five (5) feet of Lot 4, Block B of the aforementioned Subdivision.
- (8) The north five (5) feet of Lot 5, Block B of the aforementioned Subdivision.
- (9) The south five (5) feet of Lot 5, Block B of the aforementioned Subdivision.
- (10) The north five (5) feet of Lot 6, Block B of the aforementioned Subdivision.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there is a certain street within the City of Austin known as North Guadalupe Street, which street is shown upon the map or plat of the Fruth Addition of record in Book 2, Page 157 of the Plat Records of Travis County, Texas; and

WHEREAS, the abutting property owners on the aforementioned street have petitioned the City Council of the City of Austin to change the name of North Guadalupe Street from West 27th Street to West 30th Street to Hemphill Park; and

WHEREAS, the City Council of the City of Austin has considered said petition; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT North Guadalupe Street as referred to above be known and designated as Hemphill Park.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 23 (b) OF ARTICLE IV RELATING TO PASSENGER ZONE LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE MAKING CERTAIN FINDINGS WITH RESPECT TO THE APPLICATION OF SOUTHWESTERN BELL TELEPHONE COMPANY FOR AN INCREASE IN RATES; DETERMINING AND FIXING A SCHEDULE OF RATES TO BE CHARGED BY SOUTHWESTERN BELL TELEPHONE COMPANY FOR LOCAL EXCHANGE SERVICES IN THE CITY OF AUSTIN; MAKING IT UNLAWFUL FOR SOUTHWESTERN BELL TELEPHONE COMPANY, OR ANY OTHER PERSON, FIRM, CORPORATION, RECEIVER OR LESSEE OPERATING A LOCAL TELEPHONE EXCHANGE SERVICE, OR FOR ANY OFFICER, AGENT, REPRESENTATIVE OR EMPLOYEE THEREOF, TO DEMAND, EXACT OR COLLECT FROM ANY SUBSCRIBER ANY CHARGE FOR SERVICE ENUMERATED IN EXCESS

OF SUCH RATES AND CHARGES, AND PROVIDING PENALTIES
FOR THE VIOLATION OF THIS ORDINANCE OF NOT LESS THAN
FIFTY (\$50.00) DOLLARS NOR MORE THAN TWO HUNDRED
(\$200.00) DOLLARS FOR EACH OFFENSE.

The ordinance was read the second time and Councilman Johnson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, MacCorkle, Mayor Drake
Noes: Councilmen Long, White

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the property hereinafter described in the name of Z. W. Carroll are incorrect for the following reasons:

"According to an affidavit dated October 9, 1952, signed by Garfield Wells and H. W. Fuller, the described property has been church-owned and used exclusively for religious purposes for the entire period on which unpaid tax levies appear, namely 1929 through 1951. For the period involved, the Simpson Tabernacle church building has been located on adjacent property.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1929	SW 45x145' of Lot 20 (T), Block 13, 14, OL 57, Division B, Patterson Subdivision, (Plat. 36, Item 99)	230	0
1930	"	230	0
1931	"	230	0
1932	"	230	0
1933	"	230	0
1934	"	230	0
1935	"	230	0
1936	"	230	0
1937	"	230	0
1938	"	230	0
1939	"	230	0
1940	"	230	0
1941	"	230	0
1942	"	230	0
1943	"	230	0
1944	"	230	0
1945	"	230	0
1946	"	230	0
1947	"	310	0

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1948	SW 45x145' of Lot 20 (T) Block 13, 14, O.L. 57, Div. B, Patterson Sub- division, (Plat 36, Item 99)	310	0
1949	"	310	0
1950	"	310	0
1951	"	310	0

Councilman Long then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustments, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessments for the years shown be, and the same are, hereby adjusted and corrected to fix the assessed values therein as indicated:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1929	SW 45x145' of Lot 20 (T), Block 13, 14, O.L. 57, Div. B, Patterson Sub- division, (Plat. 36, Item 99)	230	0
1930	"	230	0
1931	"	230	0
1932	"	230	0
1933	"	230	0
1934	"	230	0
1935	"	230	0
1936	"	230	0
1937	"	230	0
1938	"	230	0
1939	"	230	0
1940	"	230	0
1941	"	230	0
1942	"	230	0
1943	"	230	0
1944	"	230	0
1945	"	230	0
1946	"	230	0
1947	"	310	0
1948	"	310	0

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<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1949	SW 45x145' of Lot 20 (T), Block 13, 13, O.L. 57, Div. B, Patterson Sub- division, (Plat 36, Item 99)	310	0
1950	"	310	0
1951	"	310	0

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the property hereinafter described in the name of Humphries Studio, for the years 1949, 1950 and 1951, are incorrect for the following reasons:

"According to an affidavit dated October 27, 1952, signed by Olin G. Humphries, Jr., itemized lists of personal property involved were submitted to the Tax Department, developing the fact that the original renditions did not reflect the proper depreciated basis for assessments of the Furniture, Fixtures and Equipment referred to.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1949	Furniture, Fixtures and Equipment	600	140
1950	"	600	140
1951	"	50	130

Councilman Long then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustments, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessments for the years shown be, and the same are, hereby adjusted and corrected to fix the assessed values therein as indicated:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1949	Furniture, Fixtures and Equipment	600	140
1950	"	600	140
1951	"	50	130

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the personal property of the Pastime Club, located at 609 East 6th Street (upstairs), for the years 1950 and 1951 are incorrect for the following reasons:

"The original renditions erroneously reported original cost without consideration of depreciation. The proprietor of this business has submitted to the City Tax Office, for our examination, a bill of sale and revised inventories including discount for depreciation.

"I recommend that I be authorized to reduce the assessed valuation on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1950	Furniture, fixtures and equipment	810	360
1951	Furniture, fixtures and equipment	770	340

Councilman Long then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustments, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessments for the years shown be, and the same are, hereby adjusted and corrected to fix the assessed values therein as indicated:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1950	Furniture, fixtures and equipment	810	360
1951	Furniture, fixtures and equipment	770	340

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The City Manager submitted the following tabulation of the bids received at 10:00 A.M. October 28, 1952 for Channel Excavation in Waller Creek from West 51st Street to North Loop Boulevard:

Marshall Excavating Co.	\$ 2,874.00
Collins Construction Co.	2,910.60
S. B. Ricks Excavating Co.	4,094.00
Richard Schmidt	7,676.00
J. Bland Construction Co.	8,408.40
Raymond Canion	9,930.00

The City's estimate amounted to \$9,200.00.

Marshall Excavating Co. is low bidder on the above project and I recommend that they be awarded the contract.

Councilman Johnson offered the following resolution and moved its adoption.

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 28, 1952, for Channel Excavation in Waller Creek from West 51st Street to North Loop Boulevard; and,

WHEREAS, the bid of Marshall Excavating Company in the sum of \$2,874.00 was the lowest and best responsible bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

That the bid of Marshall Excavating Company in the sum of \$2,874.00 for the Channel Excavation in Waller Creek from West 51st Street to North Loop Boulevard, be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with the Marshall Excavating Company for such channel excavation.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with B. N. Holman in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 630-C)

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utilities easement was reserved and dedicated to the public on a map or plat of Enfield "H", a Subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas; which map or plat is recorded in Volume 499, page 605 of the Deed Records of Travis County, Texas; and

WHEREAS, such easement as hereinafter described is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of such easement described as follows:

- (1) The north five (5) feet of Lot 21, of the aforementioned Subdivision.
- (2) The south five (5) feet of Lot 21, of the aforementioned Subdivision.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in

the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in WERNER AVENUE, from a point 36 feet south of East 38 $\frac{1}{2}$ Street northerly 90 feet, the centerline of which gas main shall be 12.5 feet west of and parallel to the east property line of said WERNER AVENUE.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(2) A gas main in EAST 38 $\frac{1}{2}$ STREET, from Werner Avenue easterly 58 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST 38 $\frac{1}{2}$ STREET.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(3) A gas main in LAMAR BOULEVARD, from West 33rd Street southerly 63 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said LAMAR BOULEVARD.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(4) A gas main in EAST 9TH STREET, from a point 6 feet east of Harvard Street easterly 43 feet, the centerline of which gas main shall be 7 feet north of and parallel to the south property line of said EAST 9TH STREET.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(5) A gas main in HILLVIEW ROAD, from a point 62 feet north of Richard Lane northerly 104 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said HILLVIEW ROAD.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(6) A gas main in ALEXANDER AVENUE, from East 12th Street northerly 201 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said ALEXANDER AVENUE.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(7) A gas main in WEST OLTORF STREET, from South 2nd Street

westerly 120 feet, the centerline of which gas main shall be 13.5 feet south of and parallel to the north property line of said WEST OLTORF STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in WEST $39\frac{1}{2}$ STREET, from a point 190 feet west of Seiders Avenue westerly 130 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WEST $39\frac{1}{2}$ STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in VALDEZ STREET, from Porter Lane northerly 432 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said VALDEZ STREET.

Said Gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in SOUTH 1ST STREET, from West Oltorf Street southerly 218 feet, the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said SOUTH 1ST STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in SOUTH 2ND STREET, from West Oltorf Street southerly 207 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SOUTH 2ND STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main in RICHCREEK ROAD, from Yater Avenue to Hardy Drive (S), the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said RICHCREEK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(13) A gas main in GROVER AVENUE, from Aggie Lane northerly 678 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said GROVER AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(14) A gas main in MORROW STREET, from Grover Avenue westerly 1005 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said MORROW STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(15) A gas main in NELRAY BOULEVARD, from Chesterfield Avenue easterly 53 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said NELRAY BOULEVARD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(16) A gas main in SHARON LANE, from a point 11 feet south of Woodmont Avenue southerly 111 feet, the centerline of which gas main shall be 10 feet east of and parallel to the west property line of said SHARON LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(17) A gas main in HATHAWAY DRIVE, from a point 336 feet south of Colfax Avenue southerly 164 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said HATHAWAY DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of line named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all their pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in EAST 12th STREET, from a point 18 feet east of centerline of Chicon Street easterly 150 feet, the centerline of which underground telephone conduit shall be 12 feet south of and parallel to the north property line of said EAST 12TH STREET.
- (2) An underground telephone conduit in EAST 12th STREET, from a point 132 feet east of Chicon Street easterly 2934 feet, the centerline of which underground telephone conduit shall be 18 feet south of and parallel to the north property line of said EAST 12TH STREET.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. C. Evans is the Contractor for the erection of a building located at 1101 Navasota Street and desires a portion of the sidewalk space abutting the south 100 feet of (E) of 1, Block 1, Outlot 56, Division B, in the City of Austin, Travis County, Texas, during the erection of the building such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. C. Evans, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Navasota Street to a point 4 feet west of the east curb line; thence in a northerly direction and parallel with the centerline of Navasota Street approximately 100 feet to a point; thence in an easterly direction and at right angles to the centerline of Navasota Street to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. C. Evans, hereinafter termed "Contractor", upon the following express terms and conditions:

(1). That the Contractor shall construct a four-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least four feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(3). That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(4). That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(5). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than March 15, 1953.

(6). That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(7). That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs and the City in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8). That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the

Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(9). That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims, or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, James Valdez is the Contractor for the alteration of a building located at 407 East 6th Street and desires a portion of the sidewalk space abutting the east 9 feet of Lot 1 and the west 23 feet of Lot 2, Block 59, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said James Valdez, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the northwest corner of the above property; thence in a northerly direction and at right angles to the centerline of East 6th Street to a point 4 feet north of the south curb line; thence in an easterly direction and parallel with the centerline of East 6th Street approximately 32 feet to a point; thence in a southerly direction and at right angles to the centerline of East 6th Street to the northeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said James Valdez, hereinafter termed "Contractor", upon the following express terms and conditions:

(1). That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2). The Contractor will also be permitted to use two parking meter spaces for the delivery or removal of materials during construction work.

(3). That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(4). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(5). That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(6). That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(7). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk barricades, materials, equipment and other obstructions shall be removed not later than November 7, 1952.

(8). That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9). That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(10). That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(11). That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Thomas Brothers Lumber Company, in accordance with the terms and provisions of a certain contract copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSION - Contract File No. 641-C)

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with John Rodriguez in accordance with the terms and provisions of a certain contract, a copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 632-C)

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Shoal Village, Section 5", approved by the City Plan Commission of the City of Austin on October 23, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor on the original plat of said subdivision prior to its recording in the Plat Records of Travis County Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "R. C. Stovall, Jr. Subdivision", approved by the City Plan Commission of the City of Austin on October 9, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. W. P. CROW, Appraiser, stated he was a real estate appraiser connected with Joe Crow Real Estate, and had been in this business over a period of approximately six years in the City. He stated the paving of streets, CHERRYWOOD ROAD from the npl of Edgewood Avenue to the spl of Boggy Creek Bridge; CHICON from the spl of East 13th to the spl of East 19th; KOENIG LANE from the wpl of Arroya Seca to the wpl of Lamar Blvd.; WALLER STREET from the npl of East 7th to the spl of East 11th; KOENIG LANE from the epl of Burnet Road to epl of Arroya Seca, would benefit the abutting property owners at least to the extent of the cost of the paving; and in some instances, more. He stated he was familiar with the schedule of costs and the property abutting the streets.

Mayor Drake then introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, WITHIN THE LIMITS HEREIN DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; OVERRULING AND DENYING ALL PROTESTS AND OBJECTIONS OFFERED; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECTALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN

ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN SAID LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST SAID PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

There being no further business, the Council adjourned at 11:07, subject to the call of the Mayor.

APPROVED: W. S. Drake

Mayor

ATTEST:

Elin Housley
City Clerk